



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

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WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No.13757 of 2017

G.S.Jaffar Ali

... Petitioner

-vs-

1. The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.
2. The Tashsildar,
Office of the Tashsildar,
Papanasam Taluk,
Thanjavur District.
3. The Zonal Deputy Tashsildar-1,
Office of the Zonal Deputy Tashsildar-1,
Papanasam Taluk, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to initiate necessary proceedings on the basis of the order in Petition No.37 dated 04.06.2015 passed by the respondent No.3 by considering the petitioner's representation dated 20.03.2017 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.I.Sabeer Mohamed
For Respondents : Mr.J.Gunaseelan Muthiah
Govt. Advocate

ORDER

This writ petition has been filed, seeking a direction to the respondents to initiate necessary proceedings on the basis of the order in Petition No.37 dated 04.06.2015 passed by the respondent No.3 by considering the petitioner's representation dated 20.03.2017.

2. Heard the learned counsel on either side.

3. It is the case of the petitioner that the property in question was jointly purchased by him, his father and brother on 27.05.1988 through power agents and one Rabiyyath Bassera and her husband fraudulently created documents and made entries in the patta and sold some portion of the property to third parties. It is the further case of the petitioner that based on the earlier



representation given by the petitioner in the year 2015, the 3rd respondent herein conducted an enquiry and declared the petitioner and his family members to be land owners. Subsequently, the petitioner had submitted a representation dated 20.03.2017 to the respondents 1 & 2, requesting them to take necessary action to recover his land from the said Rabeeyath Baseera and issue fresh patta to him. Though the said representation was duly forwarded to the 2nd respondent by the 1st respondent for submission of enquiry report, no action has been taken by the 2nd respondent till now. Hence, the petitioner is before this Court with the above prayer.

4. At this juncture, the learned Government Advocate appearing for the respondents would submit that if a reasonable time is granted to the 2nd respondent, the representation of the petitioner will be considered and suitable orders passed.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the 2nd respondent to consider the representation of the petitioner dated 20.03.2017 and pass appropriate orders thereon on its own merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner and any of the interested parties.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Revenue Officer,
Office of the District Revenue Officer, Thanjavur District.
2. The Tashsildar,
Office of the Tashsildar,
Papanasam Taluk, Thanjavur District.
3. The Zonal Deputy Tashsildar-1,
Office of the Zonal Deputy Tashsildar-1,
Papanasam Taluk, Thanjavur District.

+1cc to M/S.I.SABEER MOHAMED, Advocate SR.No.81980

+1cc to Special Government Pleader, SR.No. 81785

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MAS/SKN-RSK/SAR1:11.10.2017:2P-6C